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 7
 8 UNITED STATES DISTRICT COURT
 9 SOUTHERN DISTRICT OF CALIFORNIA
 10 (HONORABLE MARILYN L. HUFF)

11 UNITED STATES OF AMERICA,	)	Criminal No. 08CR0444-MLH
)	
12 Plaintiff,	)	Date: April 1, 2008
	)	Time: 2:00 p.m.
13 v.)	
)	
14 HECTOR ORTEGA-MENESES,	)	NOTICE OF MOTIONS
	)	AND MOTIONS TO
15 Defendant.	)	1) PRODUCE DISCOVERY;
	)	2) SUPPRESS EVIDENCE;
16	)	3) DISMISS INDICTMENT DUE TO FAILURE
	)	TO PROPERLY ALLEGE AN OFFENSE;
17	)	4) DISMISS THE INDICTMENT DUE
	)	TO MISINSTRUCTION OF THE GRAND
18	)	JURY; and
	)	5) FILE FURTHER MOTIONS
19)	

20 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, and ANDREW SCHOPLER,
 ASSISTANT UNITED STATES ATTORNEY

21 PLEASE TAKE NOTICE that Defendant, Hector Ortega-Meneses, by and
 22 through his Counsel, David J. Zugman, files these initial Rule 12 motions
 23 to be heard April 1, 2008, at 2:00 p.m. before the Honorable Marilyn L.
 24 Huff.

1 These motions are based upon the facts and law pertaining to this
2 case. Specifically Mr. Ortega-Meneses moves the Court for an order the
3 following:

- 4 1) Produce discovery;
- 5 2) Suppress Evidence;
- 6 3) Dismiss Indictment Due to Failure to Properly Allege an Offense;
- 7 4) Dismiss the Indictment Due to Misinstruction of the Grand Jury;
- 8 5) File Further Motions.

9 This motion is based upon the information received from the
10 government thus far.

11 Respectfully Submitted,

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13 Date: March 16, 2008

S/David J. Zugman
David J. Zugman
Attorney for Mr. Ortega-Meneses

PROOF OF SERVICE

I, the undersigned, declare that:

1. I am over eighteen (18) years of age; am a resident of the County of San Diego, State of California; and my business address is 964 Fifth Avenue, Suite 300, San Diego, California, 92101-5008.

2. I am effecting service of DEFENDANT'S MOTIONS on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them:

Andrew Schopler, Assistant U.S. Attorney
Office of the U.S. Attorney
880 Front Street
San Diego, CA 92101

3. I hereby certify that I have mailed the foregoing, by United States Postal Service to the following non-EFC participants in this case:

1. N/A

to the last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 16, 2008.

S/David Zugman
DAVID J. ZUGMAN